

would be supplied by the product when consumed in a specified quantity during the period of 1 day.

DISPOSITION: March 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7909. Misbranding of Bro-Sak Cereal Sugars. U. S. v. 98 Cartons of Bro-Sak Cereal Sugars and 1,000 Circulars and 2,000 Leaflets. Default decree of condemnation. Product ordered delivered to a public institution; literature ordered destroyed. (F. D. C. No. 13364. Sample No. 70670-F.)

LIBEL FILED: August 24, 1944, Western District of Washington.

ALLEGED SHIPMENT: By the Bro-Sak Products Co., from New Rochelle, N. Y. The sugars and circulars were shipped on or about April 13, 1944, and the leaflets were received by the consignee on or about May 29, 1944.

PRODUCT: 41 ½-pound cartons, 45 1-pound cartons, 2 2½-pound cartons, and 10 5-pound cartons of Bro-Sak Cereal Sugars, together with 1,000 circulars entitled "Healthful and Exhilarating Uses for Bro-Sak" and 2,000 leaflets entitled "To Health Seekers," at Seattle, Wash.

Analysis showed that the product consisted essentially of corn sugar (dextrose), with small quantities of calcium, magnesium, and sodium compounds, including phosphates and carbonates.

LABEL, IN PART: "Bro-Sak Cereal Sugars. Active Ingredients Isomers No. 2-7-10 Sodium Phosphate Magnesium Carbonate Calcium Phosphate."

VIOLATIONS CHARGED: Misbranding, Section 403 (a); the labeling statements quoted below were false and misleading since the article was not a natural sugar, but was a mixture of corn sugar with added chemical salts; it could not be used as a substitute for sugar in cases where sugar must be avoided or restricted; and it would not effect the results stated or implied: (Cartons) "Life Giving Non-Toxic Sugar" A NATURAL FOOD SUGAR * * *"; (circular) "AN 'ALKALINE' INSTEAD OF A 'TOXIC' SUGAR. BRO-SAK is an alkaline sugar—used for all purposes in place of ordinary acid forming sugar. People restricted in the use of refined sugar will find BRO-SAK enjoyable and effective in any form of faulty metabolism: the most prominent of which are—Acidosis, Rheumatism, Overweight, Gall Bladder trouble and Diabetes. * * * It overcomes the acidity in Strawberries enabling people to enjoy this popular fruit with no acid effect because of the alkaline reaction of BRO-SAK. * * * As an alkalizer * * * INSOMNIA OR RESTLESS NIGHTS. Squeeze the juice from a Grape Fruit—then add three or four teaspoonfuls of BRO-SAK. This gives a most soothing effect and will aid in overcoming Insomnia and restless nights"; (leaflet) "'ACID' CONDITIONS ROB YOU OF HEALTH: You must check an over-acid condition for it helps to bring many illnesses. When you are troubled with sour stomach, after-meal heaviness, dizzy spells, nervousness, fitful, unrestful sleep, depressed feeling and bowel sluggishness, these symptoms need your attention, so act promptly. Change to Bro-Sak Alkaline sugar. It is particularly needed in these cases. Bro-Sak has been extremely effective in cases of Diabetes, Overweight, Acidosis, Rheumatism, Gall Bladder trouble and for people who are restricted in the use of refined sugar. You will find Bro-Sak, an alkaline sugar, will help you immeasurably because it differs from ordinary sugar. This change is necessary because of present-day eating habits and the lack of minerals in the same kind of vegetables from different soils. Bro-Sak helps to furnish body minerals which nature is failing to provide. Bro-Sak contains the inorganic 'fixator' necessary for proper body functions which may be likened to the vitamins of the organic kingdom. It also contains the correct amount of Calcium required for the daily diet and is combined with Phosphorus to make these minerals of the greatest value to the body. They should be inseparable. Vitamins to be thoroughly effective must be in combination with minerals, and vitamins should never be taken on an empty stomach. When you start using Bro-Sak you at once reduce the strain from every body organ, conserving oxygen to better oxidize your foods. The oxygen taken into the body during a 24 hour period will oxidize or burn up food of about 2300 calories or heat units. The intake of food should be in about these proportions, Carbohydrate, 5 oz.; Fats, 3½ oz.; and Protein, 5 oz. So instead of feeling dull, gloomy and depressed you feel bright, alert, glad to be alive. Your system absorbs Bro-Sak so quickly and easily that results are speedily apparent. There is no long waiting for these benefits. a. Points to remember: Bro-Sak is strictly a carbohydrate food made from sunlight cereals with essential body minerals in the correct proportion, that neutralize acids and keep the system in a normal alkaline condition; with calcium and phosphorus for bones, teeth and ligaments.

That's why growing children should use Bro-Sak as well as furnishing heat and energy. b. Bro-Sak is absorbed directly in the body without digestive action, reducing strain, creating heat and energy with better functioning of body organs. Elderly people will find this is necessary. It spares precious body oxygen for proper oxidation and besides for the important task of burning up fatty tissues. People gaining weight should use this non-fattening sugar. c. Bro-Sak is easily regulated in the diet as each gram produces 3.755 large calories. d. Bro-Sak should replace Saccharine, A COAL TAR DERIVATIVE which affects the heart and kidneys e. Briefly, Bro-Sak is an alkaline, Non-Toxic, Non-Fattening, Nature-like Sugar, used in the same manner and for the same purposes as ordinary sugar. * * * It was especially produced * * * for its happy effect on the general health of acid-ridden persons. It is helping thousands. Bro-Sak will help you."

Further misbranding, Section 403 (i) (2), the label of the article failed to bear the common or usual name of each ingredient since the label did not reveal the presence of dextrose (corn sugar); and, Section 403 (j), the product purported to be and was represented as a food for special dietary uses by reason of its content of mineral salts, sodium phosphate, magnesium carbonate, and calcium phosphate, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of calcium and phosphorus, and the amount of sodium and magnesium, furnished by a specified quantity of the product when consumed during a period of 1 day.

DISPOSITION: May 31, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution. The literature was ordered destroyed.

7910. Misbranding of Bates vitamin preparations. U. S. v. 104 Bottles of Bates Calcium Pantothenate Dextrorotatory, 116 Bottles of Bates Multiple Vitamin Tablets, 32 Bottles of Bates Vitamin A & D, 34 Bottles of Bates Natural B Complex, 20 Bottles of Bates (Nicotinic Acid) Niacin, 20 Bottles of Bates (Thiamin) Vitamin B₁, 20 Bottles of Bates Riboflavin Vitamin B₂ (G), and 20 Bottles of Bates (Ascorbic Acid) Vitamin C. Default decree of condemnation and destruction. (F. D. C. No. 12426. Sample Nos. 60550-F to 60557-F, incl.)

LIBEL FILED: May 24, 1944, Northern District of California.

ALLEGED SHIPMENT: Between the approximate dates of March 31, 1943, and January 17, 1944, by Bates Laboratories, Inc., from Chicago, Ill.

PRODUCT: 366 bottles of the above-named vitamin preparations at San Francisco, Calif.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the following statements in the labeling were false and misleading since the articles, either singly or in combination, would not fulfill the promises of benefit expressed or implied: (Display card entitled "Vibrant Health and Beauty!") "We feature the complete line of BATES VITAMIN Products * * * Why You Need Vitamins! VITAMIN B₁ for Loss of Weight for Loss of Appetite Nervous Disorders NIACIN for * * * Skin Troubles VITAMIN A & D for Bones and Teeth Normal Growth Normal Vision and Resistance B COMPLEX * * * for General Health Proper Nutrition * * * VITAMIN B₂ (G) for Proper Nutrition Certain Skin Disorders VITAMIN C for Bleeding Gums Nutritional Disorders Certain Conditions of Anemia CALCIUM PANTOTHENATE * * * for The B Complex Factor So Favorably Reported In The Good Housekeeping Gray Hair Studies * * *"; (display banner entitled "We Feature the Complete Line of Bates Vitamin Products") "NIACIN FOR—Loss of Weight Skin Troubles * * * VITAMIN B₁ FOR—Loss of Appetite Nervous Disorders Indigestion * * * VITAMIN B₂ (G) FOR—General Vigor Resistance to Many Infectious Diseases VITAMIN A & D FOR—Strong Bones and Teeth Normal Growth Normal Vision Calcium Pantothenate * * * FOR—Gray Hair Skin Pigmentation Nail Brittleness * * * NATURAL B COMPLEX FOR—General Health Nervousness Lack of Appetite VITAMIN C FOR—Nutritional Disorders Bleeding Gums Anemia * * *"; (placard entitled "Bates Anti-Grey Hair Vitamins") "* * * TESTS SHOW THAT EVIDENCE OF THE RETURN of natural hair color requires from 30 days to six months. TESTS REVEAL THAT 88% OF MEN AND WOMEN tested showed evidence of the return of their natural hair color. * * * Color appears near the roots of the hair. Time must be allowed for the return of the natural hair color as fast as the growth of the hair. CALCIUM—PANTOTHENATE * * * A FOOD VITAMIN! * * *"; (leaflet entitled "Bates Line of Vitamins") "* * * Without Nicotinic Acid there is a tendency to